

REMARKS

Applicant's Attorney appreciates the Examiner forwarding missing pages of the Office Action to him.

The Examiner has cited four U.S. Patents and two German Patents. Each will be discussed separately.

Martin, U.S. 5:79,259, teaches a microwave heater with an inverted frusto-conical coil. The Examiner asserts that Martin shows "substantially every feature and structure as claimed except for the use of three magnetrons with one magnetron with one magnetron being located on opposite sides of the heating coil for directing microwave energy into the coil". The Examiner then relies upon Zeffner, German Patent DE 36 39 717 A1 to show sixteen microwave generators on all sides of water containers. Leaving aside whether or not this shows what Applicant has claimed, a two stage domestic hot water heater is not shown in either Patent.

The Examiner further applies Martin with Zeffner or Leutloff, German Patent DE 31 43808, and with Varadam et. al. U. S. Patent 5,296,666. Leutloff teaches, based upon the English translation, a microwave guide to the interior space of the reservoir. According to Leutloff the water so heat may be used for heating as for domestic hot water. However, Leutloff does not even hint at a two stage heat exchange for making domestic hot water with a position of the heated fluid produced by the microwave generator.

Varadam U.S. Patent 5,296,666 teaches a device for heating a floor covering to facilitate removal. It is cited by the Examiner for including a microwave leakage detector. Leaving aside the suitability of the combination, leakage detection is taught.

By its very nature, Varadam has nothing to do with a two stage heat exchanges for providing domestic hot water.

The Izo Patent, U.S. 6,064,047 is cited "to show a microwave water heating system having similar features". Although any similarity is believed to be remote, Izo also does not teach a two-stage heat exchange to produce domestic hot water.

The Examiner also relies upon Stubbs, U.S. Patent 4,114,011 and states (Page 5, paragraph 8) referring to a domestic hot water heater, "a front heat exchanger 18 having two ends, at least one medium tube located inside the front heat exchanger, the other branch of the supply line being connected to the medium tube at one end of the first heat exchanger, the return line being connected to the medium tube 20 at the other end of the front heat exchanger, at least, one water tube located in the front heat exchanger, a second heat exchanger 19 having two ends, a water coil located in the second heat exchanger having two ends."

In reality the Examiner is referring to two radiators. Applicants also have heating radiators but take a portion of the heated medium to produce hot water without contamination.

In FIG. 4, Applicants show a two-stage domestic hot water heater and in FIG. 2 shows three separate parallel heat exchangers.

The heat exchangers of Stubbs cited by the Examiner are not the two stage heat exchanger of Applicants used to provide domestic hot water. In fact, the radiators referred to by the Examiner have nothing to do with the production of domestic hot water. In Claim 1, the two-stage heat exchanger is now included and claims 1 through claim 6 are allowable. Claim 7 includes recitation of the two-stage heat exchanger

which the Examiner has not shown in the prior art. Claim 14 also includes the domestic hot water heater and a split supply line, not shown in the art.

The drawings, as amended, are believed to be allowable, which action is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John Maier, III".

JOHN MAIER, III
Reg. No. 20,990
Attorney for Applicant
660 Aaron Court
Kingston, NY 12401
PH (845)-340-0010
FAX (845)-340-0099